Bates, Kevin

From:	Bates, Kevin
Sent:	Tuesday, May 11, 2010 2:09 PM
To:	'Benson, Carl'
Cc:	'Scott Jr, Thomas J'
Subject:	Application No. 08/479,215
Attachments:	VEIW 87 Examiner Amendments.DOC

I have attached a claim proposal for this application. I have included language that makes it specific that it is the receiver device that is generating some of the output based on the profile, which I believe is important for allowability.

Also I have included language in claim 13 to make it clear that some of the information is being sent over a network. This limitation is important because it overcome some references like Yourick (4775935) (see Col. 4, lines 4-27, 63-68; Col. 8, lines 58-64, Col. 9, lines 35-44, Col. 10, lines 3-15) because it teaches lots of profiling and updating displays, but only does not in a local environment. Additional similar art is Smith (4786967) and Hashimoto (4745549).

I understand that your spec supports the concept of having the personalization of the content occur at both the set-top-box and the head-end server, but the way you are claiming it now allows too much breadth as you attempt to claim both. If you want a claim that addresses the customization happening based on the input and profile at the head-end server was can discuss an additional independent claim, or other means.

Additionally, I have removed claims 24-27 and deleted the "delivering" language because I feel that is conflicts with the survey and market research arts (McKenna 4658290, 4546382, and Johnson Re 31,941) which receiver user input in response to prompts and give feedback on purchases and commercials and things like that.

Finally, please note claim 42 which was dependent off of itself, I think it goes with claim 41, but you should double check its dependency.

Please take a look at these proposals and let me know how you want to proceed.

Thanks,

Kevin Bates
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